

Appl. No.: 09/363,073
Amdt. dated: July 15, 2003
Reply to Office action of: 02/27/2003

REMARKS / ARGUMENTS

In the office action of February 27, 2003 claims 1-10 and 20-27 were rejected. The applicants respectfully request amendment of the claims as indicated above and reconsideration of the rejection.

Claims 20-25 and 27 stand rejected under 35 U.S.C. 102(e) as being anticipated by Noguchi et al., US Patent No. 6,034,677 (Noguchi). The applicants respectfully submit that to anticipate a claim, a reference must teach every element of the claim as set forth in the claim, that is, "the identical invention must be shown in as complete detail as is contained in the claim." (MPEP 2131). The applicants respectfully submit that Noguchi discloses a display that includes both a first and second panel, but does not disclose a system in which the user can choose, alternatively, to display the first panel or the second panel, independently, or display the first and second panels at the same time. However, according to the office action, Noguchi teaches claim 20 because the claim recites three different display options in the alternative and, therefore, is taught by a disclosure that teaches only one of the recited alternatives. The applicants request amendment of claim 20 as indicated above to clarify that the user can select any one of the optional displays of the first panel, the second panel, and the simultaneous display of the first and second panels. The applicants respectfully request withdrawal of the rejection.

With regard to claims 21-25 and 27, the applicants submit that the claims are dependent from claim 20, or a claim dependent from claim 20, and inherit all of the limitations of claim 20. The applicants respectfully submit that since claim 20 is not anticipated by Noguchi for the reasons stated above, claims 21-25 and 27 are not anticipated by Noguchi. The applicants respectfully request withdrawal of the rejection claims 21-25 and 27.

Claims 1-5, 7, 8, and 10 stand rejected under 35 U.S.C. 103(a) as unpatentable over Schein, US Patent No. 6,151,059 (Schein) in view of Lemmons et al., US Patent No. 6,266,814 (Lemmons). The applicants submit that for a claim to be obvious under 35 U.S.C. 103, there must be some suggestion or motivation in either the references themselves or the knowledge generally to modify or combine the reference teachings, a reasonable expectation of success, and the references must teach or suggest all of the claim limitations (MPEP 2143). As

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described at page 10, the user of the programming information display can navigate the system by selecting records (programs) that are not displayed because they have starting times outside of the range of the current EPG grid and the system will respond by displaying a new EPG grid including the selected record. Since the starting time of the selected record was at a time outside of the range of times displayed on the first grid, the associated time range for the new EPG is outside of the range for the previously displayed EPG. The applicants submit that the method of displaying programming information disclosed in the application is not disclosed or suggested in the prior art and, therefore, not obvious from the prior art. However, the office action asserts that Schein and Lemmons, which disclose displays in which panels of an EPG are scrolled in ½ hour increments, teach the claimed method because, when the Schein and Lemmons EPG grids are scrolled, the "new time range is 7:30 to 8:00 pm where 7:30 pm is the third time which is equal to the second time and 8:00 pm is the fourth time." The applicants request amendment of claim 1, as indicated above, to clarify the relationship between the first and second times and, likewise, the third and fourth times and the time ranges associated with the first and second panels, respectively. The times (first, second, third, and fourth) displayed on the EPG grids, illustrated in FIGS. 5 and 6, are starting times for the programs (records) and the time range is the difference between the first time and the end of an increment of time following the second time, see page 10, lines 15-23. As illustrated by FIGS. 5 and 6, when the system initiates display of a "later" second panel having an associated time range defined by a third time and an increment beginning at a fourth time, both the third and fourth times are times that are later than the first and second times displayed on the earlier panel. Conversely, if the user selects a record "earlier" than that displayed on the first panel, the third and fourth times of the second panel will both be earlier than the first and second times of the earlier displayed, first panel. The applicants respectfully submit that claim 1 is not obvious from the suggested combination of Shein and Lemmons because neither Schien nor Lemmons teach or suggest all of the claim limitations and the applicants respectfully request withdrawal of the rejection.


With regard to claims 2-5, 7, 8, and 10, the applicants submit that the claims are dependent from claim 1, or a claim dependent from claim 1, and inherit all of the limitations of claim 1. The applicants respectfully submit that since claim 1 is not obvious from Shein and Lemmons for the reasons stated above, claims 2-5, 7, 8, and 10 are not obvious from the Shein

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and Lemmons. The applicants respectfully request amendment of claim 2 for consistency of description of the associated time ranges in claims 1 and 2. The applicants request withdrawal of the rejection of claims 2-5, 7, 8, and 10.

Claim 6 stands rejected under 35 U.S.C. 103(a) as unpatentable over Schein, US Patent No. 6,151,059 (Schein) in view of Lemmons et al., US Patent No. 6,266,814 (Lemmons), as applied to claim 1, and further in view of Doherty et al., US Patent No. 5,999,227 (Doherty). The applicants submit that claim 6 is dependent from claim 1 and inherits all of the limitations of claim 1. The applicants respectfully submit that since claim 1 is not obvious from Schein and Lemmons for the reasons stated above, and since the differences between claim 1 and Schein and Lemmons are not obviated by Doherty, claim 6 is not obvious from the combination of Schein, Lemmons, and Doherty and the applicants respectfully request withdrawal of the rejection.

Claim 9 stands rejected under 35 U.S.C. 103(a) as unpatentable over Schein, US Patent No. 6,151,059 (Schein) in view of Lemmons et al., US Patent No. 6,266,814 (Lemmons), as applied to claim 1, and further in view of Berezowski, US Patent No. 6,064,376 (Berezowski). The applicants submit that claim 9 is dependent from claim 1 and inherits all of the limitations of claim 1. Since claim 1 is not obvious from Schein and Lemmons for the reasons stated above, and since the differences between claim 1 and Schein and Lemmons are not obviated by Berezowski, claim 9 is not obvious from the combination of Schein, Lemmons, and Berezowski and the applicants respectfully request withdrawal of the rejection.

Claim 26 stands rejected under 35 U.S.C. 102(e) as being obvious over Noguchi et al., US Patent No. 6,034,677 (Noguchi). The applicants submit, with regard to claim 20, that  Noguchi does not permit the first and second panels to be displayed independently of each other and does not suggest or provide a motivation for modifying the disclosed system to provide for independent display of the first and second panels and, therefore, the applicants submit that claim 20 is not obvious from Noguchi. Claim 26 is dependent from claim 20 and, therefore, inherits all of the limitations of claim 20 and the applicants submit that since claim 20 is not obvious from Noguchi, neither is dependent claim 26. In addition, the applicants request amendment of claim 26 to recite that the overlapping panel obscures information displayable on the underlying panel as illustrated in FIG. 10. The office action asserts that since Noguchi,

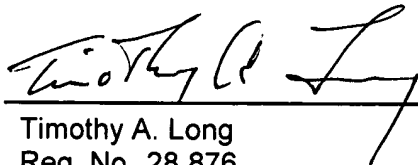
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FIG. 8, illustrates overlapping the EPG panel and the video it would be obvious to overlap the displays of the first and second EPG panels. The applicants respectfully submit that while Noguchi illustrates several embodiments of the channel guide display none of the embodiments suggest overlapping text areas of the first and second panels and Noguchi does not suggest or provide a motivation for such a display because the Noguchi display always displays the first and second panels together and a portion of the underlying panel would be permanently obscured. The applicants respectfully submit that claim 26 is not obvious from Noguchi and request withdrawal of the rejection.

Claim 28 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Noguchi et al., US Patent No. 6,034,677 (Noguchi) in view of Matthews III et al., US Patent No. 6,025,837 (Matthews). The applicants submit, for the reasons stated above, that claim 20 is not obvious from Noguchi. Claim 28 is dependent from claim 20 and, therefore, inherits all of the limitations of claim 20. The applicants submit that since claim 20 is not obvious from Noguchi and since Matthews does not obviate the differences between Noguchi and claim 20, claim 28 is not obvious from the combination of Matthews and Noguchi. The applicants respectfully request withdrawal of the rejection.

The applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner believes that for any reason direct contact with applicants' attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,
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